



Order Filed on April 28, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

CGG 19-026999
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ATTORNEYS FOR WILMINGTON SAVINGS FUND
SOCIETY, FSB, AS TRUSTEE OF STANWICH
MORTGAGE LOAN TRUST J

In Re:

MICHELLE A. RYBAK,
DEBTOR

Case No.: 22-18068-JNP

Judge: HONORABLE JERROLD N.
POSLUSNY, JR.

Chapter: 13

**CONSENT ORDER RESOLVING OBJECTION TO CONFIRMATION OF CHAPTER 13
PLAN AND VACATING AUTOMATIC STAY AND CO-DEBTOR STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby ORDERED.

DATED: April 28, 2023

A handwritten signature in dark ink, appearing to read "J. Poslusny", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

This matter being opened to the Court by Seymour Wasserstrum, attorney for the Debtor(s), upon filing of a Chapter 13 Plan, and Wilmington Savings Fund Society, FSB, as trustee of Stanwich Mortgage Loan Trust J, hereinafter "Secured Creditor," by and through its Authorized Agent, LOGS Legal Group LLP, upon the filing of an Objection to Confirmation of Plan, and the parties having subsequently resolving their differences with regard to the Debtor's Chapter 13 Plan; and the Court noting the consent of the parties to the form, substance and entry of the within Order; and the Court considered the parties' application for entry of this Consent Order, and for other good cause shown,

1. Debtor(s) is the mortgagor, and Secured Creditor is the mortgagee, of an agreement secured by real property located at 8730 Ferry Road, Millville, NJ 08332.
2. At the time of bankruptcy filing, Debtor(s) owed Secured Creditor a pre-petition arrearage of \$41,286.18; as evidenced in Secured Creditor's Proof of Claim 13-1 filed on December 19, 2022. Debtor(s) also owe Secured Creditor post-petition arrearage of \$4,804.10; as evidenced in the Consent Order entered on March 17, 2023; ECF Doc.:45.
3. Debtor(s) hereby surrenders the real property, and agrees that, immediately upon entry of this Consent Order by the Court, the Automatic Stay of Bankruptcy Code section 362(a) is vacated with regards to Secured Creditor's rights concerning the following:


____ Land and premises commonly known as **8730 Ferry Road, Millville, NJ 08332.**

4. Secured Creditor, its successors or assigns, may proceed with its rights and remedies under the terms of the subject mortgage and pursue any and all of its state court remedies, and may join the Debtor(s) and any trustee appointed in this case as defendants in its state court action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code. Additionally, any purchaser of the property at sheriff sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.
5. The co-debtor stay under 11 U.S.C. 1301 is vacated as to the co-debtor Ronald C. Reeves, to permit the Secured Creditor to pursue its rights in the real property described above.
6. Debtor(s) agrees that Bankruptcy Rule 4001(a)(3) is waived and inapplicable such that Secured Creditor may implement and enforce this Consent Order granting stay relief immediately upon entry of this Consent Order by the Court.
7. Secured Creditor agrees this Consent Order resolves the Objection to Confirmation of Plan filed on November 11, 2022; ECF Doc.:19.
8. This Consent Order is hereby incorporated into Debtor's Chapter 13 Plan and any Order Confirming Chapter 13 Plan that may be entered by the Court.
9. This Consent Order hereby *Amends the Consent Order previously entered on January 5, 2023; ECF Doc.:31.*

We hereby consent to the form, content,
and entry of the within Order.

LOGS Legal Group LLP

/s/Elizabeth L. Wassall
Elizabeth L. Wassall, Esquire
Attorney for the Secured Creditor


Seymour Wasserstrum, Esquire
Attorney for the Debtor(s)

Date: 4-28-2023

Date: 4/28/2023

In re:
Michelle A. Rybak
Debtor

Case No. 22-18068-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: May 02, 2023

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|--|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 04, 2023:

| Recip ID | Recipient Name and Address |
|----------|--|
| db | + Michelle A. Rybak, 1575 S. Myrtle St., Vineland, NJ 08360-6429 |

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 04, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 2, 2023 at the address(es) listed below:

| Name | Email Address |
|----------------------|--|
| Denise E. Carlon | on behalf of Creditor MIDFIRST BANK dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com |
| Elizabeth L. Wassall | on behalf of Creditor Wilmington Savings Fund Society FSB, as trustee of Stanwich Mortgage Loan Trust J ewassall@logs.com, njbankruptcynotifications@logs.com;logsecf@logs.com |
| Isabel C. Balboa | ecfmail@standingtrustee.com summarymail@standingtrustee.com |
| Isabel C. Balboa | on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com |
| R. A. Lebron | on behalf of Creditor NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING bankruptcy@fskslaw.com |
| R. A. Lebron | on behalf of Creditor PennyMac Loan Services LLC bankruptcy@fskslaw.com |

District/off: 0312-1

User: admin

Page 2 of 2

Date Rcvd: May 02, 2023

Form ID: pdf903

Total Noticed: 1

Seymour Wasserstrum

on behalf of Debtor Michelle A. Rybak mylawyer7@aol.com ecf@seymourlaw.net;r47769@notify.bestcase.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8